

REMARKS

Claims 1-17 are pending. Claims 1 and 8 have been amended to clarify features of the present invention. Favorable reconsideration in view of the following remarks is respectfully requested.

35 U.S.C. 103 Rejection

Claims 1-9 and 11-16 stand rejected under 35 U.S.C. § 103(a) as being unpatentable over Simmons (U.S. Patent Publication No. 2004/0043791), in view of Portalier et al (U.K. Patent Application No. GB2355892). Applicant respectfully traverses.

The Patent Office alleges that Simmons teaches "a storage support which is secured against fraudulent access, which stores the IMEI of the handset and a handset operating system, which controls authentication of the IMEI storage support by a secure electronic module which is connected to the aforementioned connector in order to establish a secure communication channel between the storage support and the module and transmission of the IMEI over the secure channel to the secure electronic module", as recited in claim 1.

However, upon careful review, Simmons does not teach the aforesaid features. Simmons teaches a storage support which stores the IMEI of the handset; however, the storage support is not secured against fraudulent access. Also, Simmons discloses transmitting the IMEI to the network and comparing it with a register of authorized/unauthorized mobile stations to prevent the use of stolen or defective mobile stations. See, Simmons at paragraph [0026].

This technique, as noted by Applicant, is vulnerable to modification of the IMEI through the use of a fraudulent operating system. Hence, the reason Applicant's claimed invention authenticates the storage support before it is transmitted, and thereafter transfers the IMEI over a secure channel, is to secure the storage support against fraudulent access.

Further, Simmons' authentication occurs between the network and the SIM in the mobile station, to authenticate a user. The authentication does not establish a secure communication channel between the storage support and the secure electronic module.

On the contrary, claim 1 calls for "a handset operating system which controls ***authentication of the IMEI storage support by a secure electronic module, in order to establish a secure communication channel*** between the storage support and the module and transmission of the IMEI over the secure channel to the secure electronic module". Applicant's invention is directed to authenticating the storage support itself, and authentication occurs between the storage support and the secure electronic module via the secure channel established by the handset operating system.

As well, the Patent Office concedes that Simmons does not teach a connector for a secure electronic module which is associated with an operator and relies on Portalier to cure this deficiency.

While Portalier discloses a connector for an electronic module, Portalier does not teach "a handset operating system, which controls authentication of the IMEI storage support by a secure electronic module which is connected to the aforementioned connector in order to establish a secure communication channel

between the storage support and the module and transmission of the IMEI over the secure channel to the secure electronic module", and thus fails to cure the deficiencies of Simmons.

For reasons analogous to claim 1 above, Simmons and Portalier do not disclose the claimed features of claim 8. Moreover, for the reasons provided above, Applicant respectfully requests withdrawal of the rejection to claims 1 and 8.

Applicant respectfully submits that dependent claims 2-7 and 9-17 are allowable for at least the same reasons discussed above with respect to independent claims 1 and 8. Moreover, these claims are further distinguishable over the applied references by the additional elements recited therein. For at least these reasons, withdrawal of the rejection to dependent claims 2-7 and 9-17 is also respectfully requested.

Conclusion

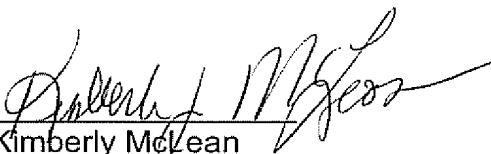
Early and favorable action with respect to this application is respectfully requested. Should the Examiner have any questions regarding this Amendment or the application in general, he is invited to contact the undersigned at the number provided below.

Respectfully submitted,

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